
VIA E-MAIL ONLY

November 23, 2021

Sarah Leach
Deputy Clerk
Town of Pelham
20 Pelham Town Square
Fonthill, ON L0S1E0

Application for Consent

Proposal: Application is made for consent to partial discharge of mortgage and consent to convey 833 square metres of land (Parts 2 and 6 on sketch), for future construction of a single detached dwelling. Parts 1 and 5 is to be retained for the future construction of a single detached dwelling.

Location: 198 Canboro Road
In the Town of Pelham

Our File: CS-21-0101

Town File: B31/2021P

Regional Planning and Development Services staff have completed a review of the following materials which were provided as part of an application for a consent application for a severance located at 198 Canboro Road in the Town of Pelham:

- Notice of Hearing and Application, dated November 09, 2021.

The following comments are provided from a Regional and Provincial perspective to assist in reviewing the Consent Application.

Archeological Resources

The Provincial Policy Statement (PPS) and Regional Official Plan (ROP) provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) Criteria for Evaluating Archaeological Potential, the subject lands exhibit high potential for discovery of archeological resources due to their proximity (within 300 metres) to a watercourse, as well as their location along a historic transportation route (Canboro Road). In this regard, a Stage 1 and 2 Archeological Assessment, prepared by Detritus Consulting Ltd. (dated November 4, 2021), was submitted with the applications. The Stage 2 Assessment did not result in the identification of any archaeological resources, and further archaeological assessment was not recommended by the Licensed Archaeologist.

As of the date of this letter, acknowledgement from the MHSTCI confirming that all archaeological resource concerns have met licensing and resource conservation requirements has not been received. Accordingly, a condition requiring Ministry clearance is included in the Appendix.

Core Natural Heritage System

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland. Consistent with Regional Official Plan (ROP) Policy 7.B.1.11, an Environmental Impact Study (EIS) is generally required in support of site alteration and/or development proposed within 50 m of Significant Woodland.

The proposed new lots are approximately 40 m from Significant Woodland. However, the feature will remain under single ownership. Due to the scope, nature and location of the consents, staff do not anticipate any impacts to the woodland. As such, Environmental planning offers no objection to the Consent applications.

Please note that any future Planning Act applications on 204 Canboro may require an EIS or Tree Preservation Plan. Additionally, the Significant Woodland is likely subject to the Regional Woodland Conservation By-law (By-law 20-79), and as such any proposed removals outside of Planning Act applications must be in conformity with the By-Law.

Site Servicing

Regional staff noted at the preconsultation that took place on September 02, 2021 that Regional staff would need to review and comment on the servicing of the site. This is to ensure that Regional infrastructure would not be negatively impacted by the proposed site servicing and that the appropriate clearance distances are provided. At this time Regional staff have no concerns with the consents subject to the submission of the servicing drawings for review and approval prior to the site being serviced.

Conclusion

Based on the analysis and comments above, Regional staff offers no objection to the application provided the servicing drawings are submitted to the Region prior to the site being serviced and the owner receive acceptance from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for the archaeological assessment reports entitled Stage 1 and 2 Archeological Assessment.

If you have any questions or wish to discuss these comments please contact the undersigned at extension 3345, or Susan Dunsmore, Manager Development Engineering, at extension 3661.

Best Regards,



Matteo Ramundo
Development Approvals Technician
Niagara Region

cc. Susan Dunsmore, Manager, Development Engineer, Niagara Region
Amy Shanks, Development Planner, Niagara Region

APPENDIX I
Consent Conditions
198 Canboro Road, Pelham

1. That the owner receive acceptance from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for the archaeological assessment reports entitled Stage 1 and 2 Archeological Assessment, prepared by Detritus Consulting Ltd., dated November 4, 2021. If the Ministry requires further archaeological work to be completed prior to acknowledging these reports, these reports must also be submitted to and acknowledged by the Ministry, to the satisfaction of Niagara Region, prior to clearance of this condition. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MHSTCI through Niagara Region, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
2. That servicing drawings be submitted to the Region for review and approval prior to the site being serviced.